

Piedmont Unified School District
Board Policy

Community Relations

BP 1313

Civility and Protections from Inappropriate Behavior

The Board of Education believes that teachers, administrators, and all other staff members have the right to perform their duties in a safe and civil environment. The Board prohibits discrimination, hate-motivated incidents and hate crimes, hazing, harassment, intimidation, bullying or cyberbullying against any teacher, administrator or staff member by a student, another employee, or any other person in the District authorized to transact business or perform services on behalf of the District.

Discrimination, hate-motivated incidents and hate crimes, hazing, harassment, and harassment, intimidation, bullying, or cyberbullying, like other disruptive or violent behaviors, disrupt the ability to teach and learn, and a school's ability to educate its students in a safe environment.

The district is committed to maintaining orderly educational and administrative processes to keep in keeping schools and administrative offices free from disruptions, and preventing unauthorized persons from entering school/district grounds. In order to provide a safe, caring and orderly environment, the Piedmont Unified School District expects civility from all who engage in school activities. Mutual respect, professionalism and common courtesy are essential qualities that all participants need to demonstrate in promoting an educational and work environment free from disruptions, harassment, bullying and aggressive actions. The district is committed to maintaining orderly educational and administrative processes to keep in-keeping schools and administrative offices free from disruptions, and preventing unauthorized persons from entering school/district grounds.

No employee of the District Board shall be subject to harassment, abusive language, and/or upbraiding by parents, other citizens, students and/or other District Board employees. Likewise, members of PUSD staff will treat parents and other members of the public with similar respect.

For the purpose of this policy, workplace bullying is defined as, but not limited to, unwanted, offensive, humiliating, undermining behavior towards an individual or groups of employees.

Such pPersistently malicious attacks on personal or professional performance are typically unpredictable, irrational and often unfair. The abuse of power or position can cause such chronic stress and anxiety that people gradually lose belief in themselves, suffering physical ill health and mental distress as a result. Workplace bullying will not be condoned in our District. Employees who engage in bullying conduct toward fellow employees or students will be subject to disciplinary action, which may include dismissal.

This policy promotes mutual respect, civility and orderly conduct among district employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, respectful, harassment-free workplace for our students and staff. In the interest of presenting district employees as positive role models to the children of this district as well as the community, PUSD encourages positive communication, and discourages volatile, hostile or aggressive actions. The district ~~seeks~~ expects public cooperation with this endeavor.

(cf. 0410.1 - Recognition of Human Diversity)

Grades

~~Employees shall have the exclusive right and responsibility to determine grades and other evaluations of students. No grade or evaluation shall be changed without the approval of the employee.~~

~~Grades given a student by an employee shall be final and not subject to alteration unless fraud, bad faith, incompetency or mistake can be shown on the part of said employee.~~

~~No Board or administration pressure shall be applied to any employee regarding grading or evaluation of students.~~

Inappropriate Behavior Prohibited

Inappropriate behavior includes chronic and continuous badgering, as well as verbal abuse. Verbal abuse includes abusive language, screaming, yelling, insults, threats, profanity and upbraiding. (a) Employees shall not be subjected to harassment, bullying or cyberbullying, inappropriate behavior or interference by a parent or any other person in the performance of the employee's duties. Employees shall not be expected to remain in any meeting in which prohibited behavior occurs.

~~(b) Inappropriate behavior includes chronic and continuous badgering, as well as verbal abuse. Verbal abuse includes abusive language, screaming, yelling, insults, threats, profanity and upbraiding.~~

Administrators will take appropriate steps to ensure that employees are not subjected to harassment, bullying or cyberbullying, inappropriate behavior, or interference as described in this Section:

1. ~~(e)1.~~ Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school district property, will be directed to leave school or school district property promptly by the site chief administrative officer or designee.
2. ~~(e)2.~~ If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the site administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on district premises, the offending person will be directed to leave promptly.
3. ~~(e)3.~~ In extraordinary circumstances, the District may assist the affected employee(s) in obtaining a restraining order against the offending person pursuant to California Code of Civil Procedure [527.6](#) and [527.8](#).
4. ~~(e)4.~~ When violence, threat, assault, battery or other illegal action is threatened or directed, district employees may: (1)
 - a. ~~r~~Report the occurrence to their principal or supervisor, ~~(2)~~ ~~e~~Complete an Incident Report, and/or
 - b. ~~(3)~~ ~~r~~Report the incident to law enforcement officials.

Definition of Discrimination, Hazing, Harassment, Intimidation, or Bullying (see following separate definitions of Hate-Motivated Incidents and Hate Crimes, Hazing, Sexual Harassment, Cyberbullying, and Misconduct)

Discrimination, harassment, intimidation, or bullying means any gesture or written, verbal or physical act that causes or threatens to cause bodily harm or emotional suffering that takes place on school property, at any school-sponsored function or on a school bus, that is one or more of the following:

1. Acts motivated by any actual or perceived characteristic, such as ethnic group, religion, gender, gender identity and expression, sexual orientation, ancestry, national origin, color, race, or mental, physical or sensory handicap, or by any other distinguishing characteristic;
2. Acts that a reasonable person should know, under the circumstances, will have the effect of harming a person or damaging the person's property, or

placing a person in reasonable fear of harm to his /her person or damage to his/her property, to include extortion, and/or

3. Acts that have the effect of insulting, demeaning, or ridiculing any person(s) or group of persons in such a way as to cause substantial disruption in, or substantial interference with the orderly operation of the school.
4. Acts that have the effect of insulting, demeaning, or ridiculing any teacher, administrator, staff member, or any other person in the District authorized to transact business or perform services on behalf of the District or group thereof in such a way as to cause substantial disruption in, or substantial interference with the orderly operation of the school.
5. Acts include those directed against someone because of their association or affinity with anyone who exhibits or is believed by the offender to exhibit any distinguishing characteristic protected by this policy, or in retaliation for their objection to or reporting of such misconduct.

Definition of Hate-Motivated Incidents and Hate Crimes

A “hate-motivated incident” means an act or attempted act which constitutes an expression of hostility against a person, property, or institution because of the target’s real or perceived race, color, national origin, religion, disability, sex, sexual orientation, or gender-identity. This may include using bigoted insults, taunts, or slurs in words or writing, distributing or posting hate group literature or posters, defacing, removing, or destroying posted materials or announcements, posting or circulating demeaning jokes or leaflets, or sending insulting or threatening messages by phone, e-mail, web sites, or any other electronic or written communication.

Some hate-motivated behavior may also be a crime as defined in State or Federal law. These crimes include, but are not limited to: bomb threats, cross burnings, destruction or defacement of property, and certain types of vandalism and assaults. (Education Code Section 233(e); Penal Code Sections 422.6, 422.7, 422.75). They may also include an act that willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person. (18 USC Section 249)

Definition of Cyberbullying

Cyberbullying includes the posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the internet, social networking sites, or other digital technologies, as well as breaking into another person’s account and assuming that person’s identity in order to damage that person’s reputation or friendships.

Districts have the ability to monitor use of the District’s internet system and to conduct a search of person or possessions such as, but not limited to, computer, locker, backpacks, if

there is reasonable suspicion that a user has violated District policy or the law (see also BP/AR 6163.4, "Acceptable Use of Technology"). Cyberbullying conducted using District-owned equipment or on school premises, as well as off-campus cyberbullying that impacts school activity or school attendance may be subject to discipline in accordance with District policies and regulations.

(cf. 5146 - Campus Disturbance)

(cf. 9323 - Meeting Conduct)

Legal Reference:

EDUCATION CODE

32210 Disturbing School

44014 Assault on Personnel

44810 Person on School Grounds

44811 Insults and Abuses

PENAL CODE

243.5 Arrest on School Grounds

415.5 Fighting on School Grounds

627.7 Refusal to Leave School Grounds

628.8 Entry of School by Person Not on Lawful Business

Adopted: December 12, 2001

Revised: